

Remarks

Claims 1-13 are pending in this application. The Examiner has rejected each of these claims under 35 U.S.C. 103(a) in view of various combinations of Hughes (U.S. Patent No. 6718170B), Attar (U.S. Pub. No. 2005/0124369 A1), Cantrell (U.S. Pub. No. 2004/0030776 A1), Tellado (U.S. Pub. No. 2004/0052228 A1) and Hoffpaur (Reg. No. H1895).

Applicant believes that the invention as claimed in the claims as filed is patentable over the teachings of the cited references. However, to more clearly distinguish the present invention, independent claims 1, 12 and 13 have been amended. Claim 6 has also been amended.

Claim 1 now specifies that the measurement records are event records that include call events. Call events are discussed in the second paragraph of the present specification and include events such as denials of call access, drops, handovers and blocked calls. The Examiner rejected claim 1 as being unpatentable over Hughes in view of Attar. Hughes, as the Examiner recognizes, relates to a microprocessor at a remote unit whereas the present invention is concerned with a processor located at a network node. Furthermore, Hughes is directed to signal processing, by applying searching processes to deal with multipath effects to and maintain a particular communication link between the remote unit and a base station. Attar is concerned with a method and apparatus for overload detection and control at a base station. In particular, it discloses monitoring load on the base station, assessment of the severity of a potential overload condition and taking action accordingly. Hughes and Attar fall within the same field of endeavor, as asserted by the Examiner, only in that they are both concerned with communication networks. In fact, they are concerned with quite different aspects of a communication system and of signal handling by that system. Hughes addresses processing at a remote unit, being concerned with the quality of an individual communication link. In contrast, Attar detects overload conditions at a base station. It is difficult to envisage how the teachings

could be jointly applied to lead to a network component using aspects of their combined disclosures, or to provide a similar approach to signal handling. Furthermore, there is no reason why a skilled person would be motivated to try to combine such disparate elements.

For the reasons above, it is submitted that claim 1 in its original form is patentable over Hughes in view of Attar. The amended claim 1 shows the distinction more clearly as there is no disclosure or suggestion by Hughes or by Attar that event records including call events should be measured. Thus, it is submitted that amended claim 1 is allowable.

For similar reasons, it is submitted that claims 3, 9, 10 and 11 are also allowable, as they depend on an allowable base claim, and that independent claims 12 and 13, amended similarly to claim 1, are allowable for the same reasons. The remaining claims 2, 4- 8, are dependent on allowable claims, and for that reason at least are allowable.

Applicant requests reconsideration of this application based on this amendment. If the Examiner should feel that the application is not yet in a condition for allowance and that a telephone interview would be useful, he is invited to contact applicants' undersigned attorney at 973, 386-8252.

Respectfully submitted,

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